

House Engrossed  
**FILED**  
**KEN BENNETT**  
**SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Forty-ninth Legislature  
Second Regular Session  
2010

CHAPTER 91

## **HOUSE BILL 2479**

AN ACT

AMENDING SECTIONS 12-1286 AND 33-401, ARIZONA REVISED STATUTES; RELATING TO  
REAL PROPERTY CONVEYANCES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 12-1286, Arizona Revised Statutes, is amended to  
3 read:

4 12-1286. Execution and delivery of deed by sheriff

5 A. At the expiration of all the applicable periods of redemption as  
6 provided in section 12-1282, and not sooner, UPON RECEIPT OF THE SHERIFF'S  
7 ORIGINAL CERTIFICATE OF SALE, the sheriff shall execute and deliver a deed to  
8 the property sold to the purchaser at the sale, or in case redemption is made  
9 by a redemptioner, ~~then~~ to the last redemptioner redeeming the property.

10 B. WITHIN THIRTY DAYS AFTER THE DATE OF EXECUTION OF THE DEED, THE  
11 SHERIFF SHALL EXECUTE TO THE PURCHASER OR REDEMPTIONER A DUPLICATE ORIGINAL  
12 SHERIFF'S DEED AND RECORD THE ORIGINAL SHERIFF'S DEED IN THE OFFICE OF THE  
13 COUNTY RECORDER FOR THE COUNTY IN WHICH THE PROPERTY IS LOCATED. IN EVERY  
14 SHERIFF'S DEED IN WHICH THE GRANTEE, PURCHASER OR REDEMPTIONER IS SUBJECT TO  
15 REGULATION PURSUANT TO TITLE 6, 10 OR 29, OR WOULD BE SUBJECT TO REGULATION  
16 PURSUANT TO TITLE 6, 10 OR 29 IF DOING BUSINESS IN THIS STATE, THE GRANTEE'S,  
17 PURCHASER'S OR REDEMPTIONER'S NAME AND ADDRESS AND THE STATE IN WHICH THE  
18 GRANTEE, PURCHASER OR REDEMPTIONER IS INCORPORATED, ORGANIZED, LICENSED,  
19 CHARTERED OR REGISTERED SHALL BE SET FORTH FULLY, TOGETHER WITH THE NAME OF  
20 THE COUNTRY UNDER WHICH THE GRANTEE, PURCHASER OR REDEMPTIONER IS CHARTERED  
21 OR FORMED. THE INFORMATION PROVIDED BY THE REDEMPTIONER OR PURCHASER IS NOT  
22 SUBJECT TO VERIFICATION AND THE SHERIFF IS NOT RESPONSIBLE FOR AUTHENTICITY  
23 OF THE INFORMATION. THE VALIDITY OF ANY DEED SHALL NOT BE AFFECTED BY ANY  
24 FAILURE TO COMPLY WITH THE REQUIREMENTS SET FORTH IN THIS SUBSECTION.

25 Sec. 2. Section 33-401, Arizona Revised Statutes, is amended to read:

26 33-401. Formal requirements of conveyance; writing;  
27 subscription; delivery; acknowledgment; defects

28 A. No estate of inheritance, freehold, or for a term of more than one  
29 year, in lands or tenements, shall be conveyed unless the conveyance is by an  
30 instrument in writing, subscribed and delivered by the party disposing of the  
31 estate, or by his agent thereunto authorized by writing.

32 B. Every deed or conveyance of real property must be signed by the  
33 grantor and must be duly acknowledged before some officer authorized to take  
34 acknowledgments.

35 C. IN EVERY DEED OR CONVEYANCE OF REAL PROPERTY IN WHICH THE GRANTEE  
36 IS SUBJECT TO REGULATION PURSUANT TO TITLE 6, 10 OR 29, OR WOULD BE SUBJECT  
37 TO REGULATION PURSUANT TO TITLE 6, 10 OR 29 IF DOING BUSINESS IN THIS STATE,  
38 THE GRANTEE'S NAME AND ADDRESS AND THE STATE IN WHICH THE GRANTEE IS  
39 INCORPORATED, ORGANIZED, LICENSED, CHARTERED OR REGISTERED SHALL BE SET FORTH  
40 FULLY, TOGETHER WITH THE NAME OF THE COUNTRY UNDER WHICH THE GRANTEE IS  
41 CHARTERED OR FORMED. THE VALIDITY OF ANY DEED SHALL NOT BE AFFECTED BY ANY  
42 FAILURE TO COMPLY WITH THE REQUIREMENTS SET FORTH IN THIS SUBSECTION.

1        ~~C.~~ D. For THE purposes of this section, a deed or conveyance  
2 containing any defect, omission or informality in the certificate of  
3 acknowledgment and which has been recorded for longer than ten years in the  
4 office of the county recorder of the county in which the property is located  
5 shall be deemed to have been duly acknowledged on and after the date of its  
6 recording.

APPROVED BY THE GOVERNOR APRIL 19, 2010.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 20, 2010.